

REMARKS

In accordance with the foregoing, no claims have been amended, cancelled or added. No new matter is being presented. Therefore, claims 1-3 and 6-44 are pending and reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-3, 7-10, 14-15, 17-18, 20, 22-24, 31-34, 38-39 and 44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al. (U.S. Patent No. 6,021,332) in view of Sawada et al. (U.S. Patent 6,810,274). These rejections are traversed.

Regarding the rejection of claim 1, it is noted that claim 1 recites an electronic apparatus comprising an electronic device including a body; and one of at least first and second selectively interchangeable batteries coupled to the body, the first battery to supply current to said electronic device, the second battery to supply current and to provide information storage to said electronic device. According to claim 1, said second battery includes a memory unit having a built-in main memory and a detachable auxiliary memory, and the electronic device stores data in the built-in main memory and the detachable auxiliary memory.

As has been shown repeatedly throughout the prosecution of this application and which appears to have been accepted by the Examiner, claim 1 is patentably distinguished from the reference to Sawada. For purposes of review, in particular, while the claimed invention recites first and second selectively interchangeable batteries, Sawada has been shown to merely disclose a battery pack 2 and a secondary battery 9 that are virtually completely dependent upon one another. Moreover, calling attention to the recitation that the second battery includes a memory unit having a built-in main memory and a detachable auxiliary memory, applicants have noted that, in Sawada, the semiconductor memory 3 is merely a component of the battery pack 2 just like the secondary battery 9, and that, other than being part of the battery pack 2, the semiconductor memory 3 and the secondary battery 9 have no common association with each other. Further, Sawada is completely silent as to a disclosure that the secondary battery 9 includes a semiconductor memory 3 of its own and certainly not a "built-in memory and a detachable memory," as claimed. Thus, Sawada cannot be said to disclose a second battery including a memory unit having a built-in main memory and a detachable auxiliary memory as claimed.

At this time, however, it has been suggested that the defects of Sawada, as are reviewed above, are rendered moot since the teachings of Sawada may be combined with those of Alberth, which, according to the Examiner, discloses an electronic device including a body, and

one of at least first and second selectively interchangeable batteries coupled to the body, the first battery to supply current to said electronic device, the second battery to supply current and to provide information storage to said electronic device.

In other words, the reference to Sawada now appears to be cited for the purpose of teaching that the main battery 101 and the supplementary module 102 of Alberth (which the Examiner likens to the claimed first and second selectively interchangeable batteries, each of which includes a memory 402 and 410 and provides current 405 and 407 and 413 and 415) should be modified to include the built-in main memory and the detachable memory of the memory unit of Sawada.

What remains unclear is why anyone skilled in the art of Alberth would conclude that such a modification of the reference would be beneficial. According to page 3 of the Office Action, this combination would be obvious because one would want to provide that the battery pack and the wireless telephone set of Alberth can protect data stored in the semiconductor memory. However, a simple review of the reference to Alberth reveals that there is no reason to conclude that data stored in the memories 402 and 410 of the main battery 101 and the supplementary module 102, respectively, is ever in danger of being unprotected as suggested. Here, applicants note that Alberth discloses that the supplementary module is used "to avoid interruption in operation" and that the radio telephone "automatically switches between the main battery 101 and the auxiliary battery of the supplemental module 102." In other words, the supplemental module 102 insures that power is available during operation of the radiotelephone and, as a result, data is protected. Thus, the addition of the auxiliary memory of Sawada would be redundant.

Therefore, applicants respectfully assert that claim 1 is patentably distinguished from the combination of Sawada and Alberth. Thus, the rejection is believed to be traversed.

Regarding the rejections of claims 2, 8, 9, 20, 22, 31 and 44, it is noted that these claims recite some substantially similar features as claim 1. Therefore, these claims are believed to be patentably distinguished from the combination of the references for substantially similar reasons as set forth above, and that, thus, the rejections of these claims are also believed to be traversed.

Regarding the rejections of claims 3, 7, 10, 14-15, 17-18, 23, 24, 32-34 and 38-39, it is noted that these claims depend from claims 1, 2, 8, 9, 20, 22, 31 and 44, and that, therefore the rejections of these claims are also believed to be traversed for at least the reasons set forth above.

Claims 16 and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over

Alberth, Jr. et al., in view of Sawada et al., and further in view of Wang (U.S. Pub. 2003/0013506) and claims 6, 13 and 41-43 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al., in view of Sawada et al., and further in view of Miyahshita (U.S. Patent 6,244,894). However, it is noted that these claims depend from claims 1, 8, 15 and 31, respectively, and that the references to Wang and Miyahshita fail to cure the defects of Sawada and Alberth, as discussed above. Therefore the rejections of these claims are also believed to be traversed for at least the reasons set forth above.

Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al., in view of Sawada et al., in view of Austin et al. (U.S. Patent 6,590,303) and further in view of Griffith et al. (U.S. Patent 6,917,280). However, it is noted that claim 12 recites substantially similar subject matter as claim 1 and that the references to Austin and Griffith fail to cure the defects of Sawada and Alberth, as discussed above. Therefore, claim 12 is believed to be patentably distinguished from the combination of the references for substantially similar reasons as set forth above, and that, thus, the rejection of this claim is also believed to be traversed.

Claims 11, 25-30 and 35-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al. in view of Sawada et al. and further in view of Austin et al.

Regarding the rejections of claims 11, 25, and 27-30, it is noted that these claims depend from claims 8 and 22 and that the additional reference to Austin fails to cure the defects of Sawada and Alberth, as discussed above. Therefore the rejections of these claims are also believed to be traversed for at least the reasons set forth above.

Regarding the rejection of claim 26, it is noted that claim 26 recites substantially similar features as claim 1. Therefore, claim 26 is believed to be patentably distinguished from the combination of the references for substantially similar reasons as set forth above, and that, thus, the rejection of claim 26 is also believed to be traversed.

Claims 19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wang in view of Sawada et al. However, the explanations of these rejections in the Office Action are unclear as to what teachings of which cited references are being combined to render the claims obvious. For example, the first paragraph of page 13 states that Wang discloses an electronic device, and first and second interchangeable batteries coupled to the electronic device. This is the last mention of Wang or its teachings. Indeed, instead of explaining how Wang can be combined with Sawada, the Office Action proceeds to state that Alberth fails to disclose a battery including a memory unit having a built in memory and the detachable auxiliary memory and a secondary power output port. The Office Action concludes the rejection with a discussion of the teachings of Sawada and how Sawada can be combined with Alberth.

Since, the explanations of these rejections are obviously insufficient, as discussed above, it is respectfully requested that the rejections be withdrawn.

It is further noted that if the Examiner's intended meaning was that the teachings of Sawada and Alberth can be combined to render claim 19 obvious, a rejection based on such reasoning will be traversed. This is due to the fact that claim 19 recites substantially similar features as claim 1 and that the teachings of Wang fail to cure the defects of Sawada and Alberth, as discussed above. Therefore, claim 19 (and dependent claim 21) is (are) patentably distinguished over the cited references for at least similar reasons as set forth above.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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